

REMARKS

This is in full and timely response to the Office Action mailed on October 25, 2004. Reexamination in light of the amendments and the following remarks is respectfully requested.

Claims 3-4 and 6 are currently pending in this application, with claim 3 and 6 being independent.

No new matter has been added.

Rejection under 35 U.S.C. §112

Claims 3-6 were rejected under 35 U.S.C. §112, second paragraph.

This rejection is traversed at least for the following reasons.

While not conceding the propriety of these rejections, and in order to further the prosecution of the application, the claims have been amended. Withdrawal of this rejection and allowance of the claims is respectfully requested.

Rejection under 35 U.S.C. §102 and 35 U.S.C. §103

Claims 3-5 were rejected under 35 U.S.C. §102 as allegedly being anticipated by U.S. Patent No. 6,615,611 to Schacter et al. (Schacter).

Claim 6 was rejected under 35 U.S.C. §103 as allegedly being obvious over Schacter.

These rejections are traversed at least for the following reasons.

Claim 3 is drawn to an enneahedral-cut diamond having a square or rectangular table and a pavilion formed underneath the table, which comprises:

four triangular lower-girdle facets each of which extends from each side of the square or rectangular table perpendicularly to the square or rectangular table; and

four lower-main facets each of which extends obliquely from each corner of the square or rectangular table to a culet of the diamond so that upper opposite sides of each lower-main facet adjoin adjacent ones of the triangular lower-girdle facets,

whereas the lower opposite sides of each lower-main facet adjoin confronting lower opposite sides of adjacent ones of the lower-main facets.

Claim 6 is drawn to a diamond assembly comprising a plurality of enneahedral-cut diamonds arranged side by side and combined with their square or rectangular tables directed inward or outward relative to the diamond assembly, wherein each of the enneahedral-cut diamonds has a square or rectangular table and a pavilion formed underneath the table, and comprises:

four triangular lower-girdle facets each of which extends from each side of the square or rectangular table perpendicularly to the square or rectangular table; and

four lower-main facets each of which extends obliquely from each corner of the square or rectangular table to a culet of the diamond so that upper opposite sides of each lower-main facet adjoin adjacent ones of the triangular lower-girdle facets.

Schacter arguably teaches a high yield diamond. However, Schacter fails to disclose, teach or suggest four lower-main facets each of which extends obliquely from each corner of the square or rectangular table to a culet of the diamond so that upper opposite sides of each lower-main facet adjoin adjacent ones of the triangular lower-girdle facets.

Withdrawal of these rejections and allowance of the claims is respectfully requested.

Conclusion

For the foregoing reasons, all the claims now pending in the present application are allowable, and the present application is in condition for allowance. Accordingly, favorable reexamination and reconsideration of the application in light of the amendments and remarks is courteously solicited.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone Brian K. Dutton, Reg. No. 47,255, at 202-955-8753 or the undersigned attorney at the below-listed number.

If any fee is required or any overpayment made, the Commissioner is hereby authorized to charge the fee or credit the overpayment to Deposit Account # 18-0013.

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Respectfully submitted,



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